



**IN THE U.S. PATENT AND TRADEMARK OFFICE**

In re: U.S. Patent Application of:

APPLICANTS: David Bantz and Steven Mastrianni

SERIAL NO.: 09/823,049

FILING DATE: 03/30/2001

EXAMINER: Lim, Krisna

ART UNIT: 2153

ATTORNEY'S DOCKET NO.: YOR920010074US1

TITLE: METHOD AND APPARATUS FOR PERFORMING EMERGENCY  
SHUTDOWN OF A MALFUNCTIONING COMPUTER SYSTEM SAVING  
ALL OPEN FILES, DATA, AND WORK IN PROGRESS TO A REMOTE  
DATA STORAGE BUSINESS ENTITY

Commissioner for Patents

Alexandria, VA 22313

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**NOV 22 2004**

Technology Center 2100

**RESPONSE TO OFFICE ACTION**

Sir:

This paper is herewith filed in response to the Examiner's Office Action mailed on 08/12/2004 for the above-captioned U.S. Patent Application. This paper is deemed to be filed within the shortened statutory period and no petition or fee for an extension of time is required. However, should the undersigned attorney be mistaken, please consider this a petition for any extension of time that may be required to maintain the pendency of this Patent Application, and charge deposit account no.: 50-1924 for any required fee deficiency.

Please consider the remarks set forth below, which are believed to address the Examiner's outstanding rejections and place the subject application in condition for immediate allowance. Accordingly, the claims are not being amended by the present Response. The claims in their present form are set forth below.